

1 16. In early September 2015, Plaintiff revoked any consent previously given to
2 Defendant to place telephone calls to her cellular telephone number by telling Defendant to stop
3 calling her.

4 17. Defendant heard and acknowledged Plaintiff's revocation of consent and demand
5 to stop calling her cellular telephone number.

6 18. Despite the above, Defendant persisted in calling Plaintiff on her cellular
7 telephone for several weeks.

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9 **DEFENDANT VIOLATED THE**
10 **TELEPHONE CONSUMER PROTECTION ACT**

11 19. Plaintiff incorporates the forgoing paragraphs as though the same were set forth
12 at length herein.

13 20. Defendant initiated multiple automated telephone calls to Plaintiff's cellular
14 telephone using a prerecorded voice.

15 21. Defendant initiated these automated calls to Plaintiff using an automatic
16 telephone dialing system.

17 22. Defendant's calls to Plaintiff were not made for emergency purposes.

18 23. Defendant's calls to Plaintiff, after September 2015, were not made with
19 Plaintiff's prior express consent.

20 24. Defendant's acts as described above were done with malicious, intentional,
21 willful, reckless, wanton and negligent disregard for Plaintiff's rights under the law and with the
22 purpose of harassing Plaintiff.
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1 25. The acts and/or omissions of Defendant were done unfairly, unlawfully,
2 intentionally, deceptively and fraudulently and absent bona fide error, lawful right, legal
3 defense, legal justification or legal excuse.

4 26. As a result of the above violations of the TCPA, Plaintiff has suffered the losses
5 and damages as set forth above entitling Plaintiff to an award of statutory, actual and trebles
6 damages.

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8 WHEREFORE, Plaintiff, LISA SAVAGE, respectfully prays for judgment as follows:

- 9 a. All actual damages suffered pursuant to 47 U.S.C. §227(b)(3)(A);
10 b. Statutory damages of \$500.00 per violative telephone call pursuant to 47
11 U.S.C. §227(b)(3)(B);
12 c. Treble damages of \$1,500 per violative telephone call pursuant to 47
13 U.S.C. §227(b)(3);
14 d. Injunctive relief pursuant to 47 U.S.C. §227(b)(3); and
15 e. Any other relief deemed appropriate by this Honorable Court.
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18 **DEMAND FOR JURY TRIAL**

19 PLEASE TAKE NOTICE that Plaintiff, LISA SAVAGE, demands a jury trial in this
20 case.

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22 **CERTIFICATION PURSUANT TO L.CIV.R.11.2**

23 I hereby certify pursuant to Local Civil Rule 11.2 that this matter in controversy is not
24 subject to any other action pending in any court, arbitration or administrative proceeding.
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Respectfully submitted,

Dated: March 30, 2017

By: /s/ Amy L. B. Ginsburg
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